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VIA ECF AND HAND DELIVERY

Honorable Naomi Reice Buchwald
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2270
New York, New York 10007

Re: Tiffany (NJ) LLC, et al. v. Bruce Forbse, et al., No. 2011 Civ. 4976 (NRB)

Dear Judge Buchwald:

On behalf of Plaintiffs Tiffany (NJ) LLC and Tiffany and Company, we write in further response to the non-party Banks' June 18 letter (ECF No. 87), and to call the Court's attention to a recent default judgment entered by Judge Shira Scheindlin in *Nike, Inc. v. Maria Wu*, 13 Civ. 8012, ECF No. 49 (S.D.N.Y. Aug. 20, 2015) (attached as Exhibit A). In *Nike*, Judge Scheindlin considered a proposed default judgment that is substantively identical to the one at issue in this case. See Ex. A at ¶¶ 10–11. As in this case, certain non-party banks—including those that have objected here—cited *Tiffany (NJ) LLC v. Qi Andrew*, No. 10 Civ. 9471 (KPF) and argued that the proposed default judgment should be rejected to the extent that it asked for an accounting of profits and continuation of a freeze on the defendants' assets. See *Nike, Inc. v. Maria Wu*, 13 Civ. 8012, ECF No. 41 (S.D.N.Y. July 17, 2015). Rejecting the Bank's arguments in a written decision, Judge Scheindlin granted "an accounting of profits" and awarded \$1 million per mark "as a proxy for Defendants' profits." See Ex. A, ¶ 8. As Judge Scheindlin explained, the Banks' objections are not "ripe given that the Proposed Default Judgment is directed entirely at defendants and seeks no enforcement against the non-party Banks." *Nike, Inc. v. Maria Wu*, 13 Civ. 8012, ECF No. 48, at 2 (S.D.N.Y. Aug. 20, 2015) (attached as Exhibit B). Accordingly, we respectfully request that this Court follow Judge Scheindlin, Judge Failla, and Judge Daniels, and enter the proposed judgment including an asset freeze.

Respectfully Submitted,

/s/Robert L. Weigel

Robert L. Weigel